

Remark

Applicants respectfully request reconsideration of this application. There are no claim amendments. Therefore, claims 1-27 are presented for examination.

Response to Arguments

Applicants thank the Examiner for the revocation of the prior grounds of rejection.

35 U.S.C. §102 Rejection,

Backaus et al.

The Examiner has rejected claims 1-27 under 35 U.S.C. 102 (b) as being anticipated by Backaus et al., U.S. Patent No. 5,459,779 ("Backaus"). As Applicants understand Backaus, there is only one way to apply it to the claims of the present application. Using Claim 1 as an initial example, the automated attendant must be read on one of the information service providers 108, 109. The telephone switch must be read on the IXC Switch 110. The call handle must be read on the call identifier 3:56, 4:8. This application of the reference, however, fails to meet each and every element of the claim.

First, the noted elements of Claim 1 do not correspond to the equipment described by Backaus. The information service provider is not an automated attendant, but a computer information database. According to MCI's online glossary, an information content provider, or information provider is "a business that supplies information or

programming services such as news, weather, business reports, and entertainment."

According to Lucent's (formerly AT&T) online glossary information database services are "a class of dial-up service providers that enable subscribers to search for and locate specific information ranging from airline schedules to weather reports". These services do not handle calls or perform attendant services, they provide information in response to caller inquiries. The IXC switch and the call identifier also differ from what is claimed, however, this is perhaps better understood with reference to the next paragraph.

Second, many elements of Claim 1, find no correspondence with Backaus. Backaus mentions no port at the information service provider. Backaus does not mention applying the call identifier at the information service provider to retrieve caller information and using that information to handle the call. First, the information service provider does not handle the call and second, the information seems to be used only by the IXC switch. The most important feature of the call identifier has nothing to do with the information service provider. The most important feature is that it "allows the IXC platform to regain control of the call." (4:19) In fact, it is unclear whether the IXC platform ever relinquishes the call.

Accordingly, absent these important teaching, Applicants respectfully submit that Claim 1 is not anticipated by Backaus.

Claim 14 recites the present invention differently. In claim 14, a call goes from the switch to a call handling system, back to the switch and then back to the call handling system. In both transfers, the call handling system receives the call handle as in-band signaling tones. The Examiner suggests that this claim can be read on the LEC 102 of Backaus providing the call identifier (or some other call handle) to the IXC switch 110.

This reading does not anticipate the claim. Even if the user-dialed PIN (3:7) were construed as the call identifier, this is not generated by the LEC. In addition, there is no suggestion of the recited method of transferring routed calls between the LEC and the IXC switch. In Backaus, once the IXC switch receives the call it never relinquishes it back to the LEC.

The more natural reading is, as mentioned above, to read the switch onto the IXC switch and the call handling system onto the information service provider 108, 109. However, this reading also suffers from the lack of any teaching of the recited method of Claim 17. In particular, the information service provider has no port, it is not a call handling system, and there does not appear to be a transfer received at the IXC switch from the information service provider. A close reading of the "forced return to platform" and "back to platform" options of Col. 4, lines 33 et seq. suggests that the call is only returned to the IXC switch before it is fully transferred to the information service provider.

Finally, Claim 17 refers to in-band signaling tones. Even if the call identifier used by the IXC switch corresponds to numbers input by the user as DTMF tones, there is no suggestion in Backaus that this information is transmitted between the IXC switch and the information service provider in the form of DTMF tones. Once the call is provided to the information service provider, any DTMF tones provided by the user are not a generated call handle provided by the IXC switch.

The claims not discussed herein contain limitations similar to those mentioned above and, accordingly, are believed to be allowable therefor as well as for the additional limitations set forth specifically in each respective claim.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the remark, and that the claims are in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Respectfully submitted,

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